

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSHUA PALCZYNSKY, individually and on behalf
of all class members and all those similarly situated,

Plaintiffs,

v.

No. 2:21-cv-1125 DHU/KRS

OIL PATCH GROUP, Inc.,

Defendant.

ORDER FOR EXPEDITED BRIEFING

THIS MATTER is before the Court on Defendant's Motion to Stay Proceedings, (Doc. 33), filed August 22, 2022, and Motion to Extend Deadline to Respond to Plaintiff's Motion for Conditional Certification, (Doc. 35), filed August 26, 2022. The presiding judge has asked the undersigned to rule on both motions. On March 29, 2022, the Court held a status conference and counsel for both sides agreed to delay entry of a scheduling order setting discovery and other pretrial deadlines until third party Rusco Operating, LLC's Motion to Intervene, (Doc. 8), is resolved. (Doc. 22) (Clerks' Minutes) and (Doc. 23) (Order finding good cause to delay entry of a scheduling order). Nevertheless, on August 22, 2022 Plaintiff filed a Motion for Conditional Certification, (Doc. 32). Defendant asks the Court to stay the case pending a ruling on the Motion to Intervene or, in the alternative, extend Defendant's deadline to file a response to Plaintiff's Motion for Conditional Certification. (Docs. 33 and 35). Considering that Defendant's response to Plaintiff's Motion for Conditional Certification is due by September 6, 2022, the Court will order expedited briefing as follows:

- 1) Plaintiff's responses to Defendant's Motion to Stay Proceedings, (Doc. 33), and Motion to Extend Deadline to Respond to Plaintiff's Motion for Conditional Certification, (Doc. 35), are due **by 12:00 p.m. (noon) Thursday, September 1, 2022**; and

2) Defendant's replies, if any, are due **by 12:00 p.m. (noon) Friday, September 2, 2022.**

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive style with a horizontal line underneath it.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE